

## 1. 2013SP-020-001

### 906 BOSCOBEL (PRELIM & FINAL)

Map 082-16, Parcel(s) 348

Council District 06 (Peter Westerholm)

Staff Reviewer: Jason Swaggart

A request to rezone from R8 to SP-R and for final site plan for property located at 906 Boscobel Street, approximately 175 feet east of South 9th Street and located within the Edgefield Historic Preservation District (0.2 acres), to permit up to two detached residential dwelling units, requested by Daniel Fell, applicant; Damon Frazee, owner.

**Staff Recommendation: Approve with conditions and disapprove without all conditions.**

### APPLICANT REQUEST

**Permit one single-family residence, or a two-family residence (attached or detached).**

#### Preliminary and Final SP

A request to rezone from One and Two-Family Residential (R8) to Specific Plan –Residential (SP-R) and for final site plan for property located at 906 Boscobel Street, approximately 175 feet east of South 9th Street and located within the Edgefield Historic Preservation District (0.2 acres), to permit up to two detached residential dwelling units.

### Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 1 duplex lot for a total of 2 units.*

### Proposed Zoning

Specific Plan-Residential (SP-R) is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan would permit one single-family unit or a two-family unit (attached or detached).

### CRITICAL PLANNING GOALS

N/A

### EAST NASHVILLE COMMUNITY PLAN

Neighborhood General (NG) is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

#### Consistent with Policy?

Yes. The proposed SP is consistent with the Neighborhood General policy. Because this property is within the Edgefield Historic Preservation District, the design of any home must be approved by the Metro Historic Zoning Commission.

The policy is intended to promote all types of housing options. The proposed SP does not increase the current development rights, but would permit another housing option consistent with the policy.

### PLAN DETAILS

The property is located on the south side of Boscobel Street between 9<sup>th</sup> and 10<sup>th</sup> Street, within the Urban Zoning Overlay (UZO) and the Edgefield Historic Preservation District. The lot is developed with a single-family structure at the rear of the lot. The structure's elevation is slightly higher than Boscobel and it is accessed by an alley at the rear of the lot.

This SP permits two detached units on one lot, while the current zoning only permits an attached two-family unit on one lot. The SP will also permit one single-family unit, which currently exists on one lot, in the event that a second unit is not constructed.

In order to ensure compatibility with surrounding development, staff proposes the following standards for the SP:

1. Permitted Uses: Single-Family and Two-Family Residential (attached and detached).
2. No more than two units are permitted.
3. All standards and requirements of the R8 district, the Edgefield Historic Preservation District and the Urban Zoning Overlay District shall apply.
4. The lot shall not be subdivided.
5. No vehicular access shall be permitted from Boscobel.
6. Parking shall be consistent with Zoning Code requirements.
7. Garbage pickup shall be from alley # 264.
8. Final design, building footprints and access may be modified as approved by Metro Historic during permit review, but shall not conflict with requirements specified in this plan.

## **October 24, 2013, Planning Commission meeting**

9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

### **ANALYSIS**

The SP does not propose any new uses or additional density. The existing zoning permits two-family residential, but because the property is within the UZO and the Edgefield Historic Preservation District, the units must be attached. The proposed SP would permit the units to be detached, which would allow for the preservation of the existing structure at the back of the lot and the construction of a new dwelling along the Boscobel street frontage to match the character of surrounding residential development. The SP does not require that the existing, non-historic structure remain. Since this is within a historic preservation district, removal of existing structures and/or the addition of any new structures will require approval from the Metro Historic Zoning Commission. This request is also for final site plan approval, which does not require Council approval. The SP standards will be applied with any building permits.

### **STORMWATER RECOMMENDATION**

Approved

### **PUBLIC WORKS RECOMMENDATION**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Solid waste and recycling for both residences provided from the Alley.
- Per MPC request identify the parking and access for the site.

### **HISTORICAL COMMISSION RECOMMENDATION**

The MHZC supports the rezoning of 906 Boscobel as it will allow a second building to be constructed in a more appropriate location and maintain the historic rhythm of the street. The exterior design and exact location and shape of the footprint will be reviewed by the MHZC as the property is located in the Edgefield Historic Preservation Zoning Overlay.

### **METRO SCHOOL BOARD REPORT**

Based on data from the Metro School Board last updated September 2012, the proposed SP zoning district will not generate additional students from what is generated by the existing R8 zoning district.

### **STAFF RECOMMENDATION**

Staff recommends that the request be approved with conditions and disapproved without all staff conditions.

### **CONDITIONS**

1. Permitted uses shall be limited to Single-Family and Two-Family Residential (attached or detached).
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4. The lot shall not be subdivided.
5. No vehicular access shall be permitted from Boscobel.
6. Parking shall be consistent with Zoning Code requirements.
7. Garbage pickup shall be from alley # 264.
8. Final design, building footprints and access may be modified as approved by Metro Historic during permit review, but shall not conflict with requirements specified in this plan.
9. No permits shall be issued for a detached two-family structure until the zoning has been approved by Council.
10. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the R8 zoning district as of the date of the applicable request or application.
11. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

## October 24, 2013, Planning Commission meeting

12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Mr. Swaggart presented the staff recommendation of approval with conditions and disapproval without all conditions.

Daniel Fell, 1151 Russell Street, spoke in favor of the application.

Logan Key, 926 Woodland Street, spoke in opposition to the application and stated that this proposal undermines the integrity of the preservation district.

Carol Norton, 801 Boscobel, spoke in opposition to the proposal and stated that this does not meet Historic Edgefield preservation district guidelines as they were written nor does it conform to the Secretary of Interior's guidelines.

Thom Brown, 720 Boscobel Street, spoke in opposition to the application.

Gregg Boling, 908 Boscobel Street, spoke in opposition to the application and stated that the neighborhood is already at capacity with parking and the amount of people in the dwellings nearby.

Daniel Fell clarified that this will not increase parking and stated that most of the opposition seems to be simply fear of the unknown.

### **Mr. Ponder moved and Mr. Gee seconded the motion to close the Public Hearing. (9-0)**

Mr. Gee asked the Historical Commission representative to clarify their position.

Robin Zeigler, Historical Commission, clarified that no action has been taken by the Historic Zoning Commission; they only contributed staff comments.

Mr. Bernhardt stated that planning staff asked Historical Commission staff for their opinion as part of the planning evaluation tool. It was not intended to be a position of the Historic Zoning Commission; it was only an opinion of the staff based on their expertise.

Mr. Bernhardt further clarified that this is being requested in order to preserve the existing building.

Robin Zeigler stated that from Historical Commission staff's perspective is that this actually corrects a situation that is negative for the neighborhood by allowing a building to be up front, hide the one in the back, and be in alignment with all the other buildings along the street.

Mr. Gee wanted to clarify for the public that the commission is not to consider the occupant of the home in their decision. He stated that volumetric issues could actually be better with a detached unit.

Dr. Cummings stated that it makes good sense to put a house in the front to help improve the streetscape.

Councilmember Hunt spoke in support and noted that most every lot on this street already has two units on it.

**Mr. Ponder moved and Mr. Haynes seconded the motion to approve with conditions and disapprove without all conditions. (7-2) Mr. Gee and Ms. LeQuire voted against.**

### **Resolution No. RS2013-192**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2013SP-020-001 is **Approved with conditions and disapproved without all conditions. (7-2)**

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**October 24, 2013, Planning Commission meeting**

- 8. Final design, building footprints and access may be modified as approved by Metro Historic during permit review, but shall not conflict with requirements specified in this plan.**
  - 9. No permits shall be issued for a detached two-family structure until the zoning has been approved by Council.**
  - 10. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the R8 zoning district as of the date of the applicable request or application.**
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